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CHAPTER VIII

GENERAL OBSERVATIONS

The curse of Negro slavery affected the whole English speaking world; and that part of the world where it was commercially profitable resisted its abolition. The British part of this world does not need to assert any higher sense of justice and right than had those who lived in the Northern States; and it may well be that had Negro slave service been as profitable in Canada as in the Cotton States, the heinousness of the sin might not have been more manifest here than there. Nevertheless we must not too much minimize the real merit of those who sought the destruction of slavery. Slaves did not pay so well in Canada as in Georgia, but they *paid*.

It is interesting to note the various ways in which slavery was met and finally destroyed. In Upper Canada, the existing slaves, 1793, remained slaves but all those born thereafter were free, subject to certain conditions of service. There was a statutory recognition of the existing status and provision for its destruction in the afterborn. This continued slavery though it much mitigated its severity and secured its downfall in time. But there were slaves in Upper Canada when the Imperial Act of 1833 came in force. The Act of 1793 was admittedly but a compromise measure; and beneficial as it was it was a paltering with sin.

In Lower Canada, there was no legislation, and slavery was never formally abolished until the Imperial Act of 1833; but the courts decided in effect if not in form that a master had no rights over his slave, and that is tantamount to saying that where there is no master there is no slave. The reasoning in these cases as in the Somerset case may not recommend itself to the lawyer but the effect is undoubtedly, "Slaves cannot live in Lower Canada."

In Nova Scotia, there was no decision that slavery did not exist. Indeed the course of procedure presupposed that it did exist, but the courts were astute to find means of making it all but impossible for the alleged master to succeed; and slavery disappeared accordingly.

In New Brunswick the decision by a divided court was in favor of the master; but juries were of the same calibre and sentiments in New Brunswick as in Nova Scotia and the same results were to be anticipated, if Nova Scotian means were used; and the slave owners gave way.

In the old land, judicial decision destroyed slavery on the British domain; but conscience and sense of justice and right impelled its destruction elsewhere by statute; and the same sense of justice and right impelled the Parliament of Great Britain to recompense the owners for their property thus destroyed. If there be any more altruistic act of any people in any age of the world's history I have failed to hear or read of it.

In the United States, slavery was abolished as a war measure. Lincoln hating slavery as he did would never have abolished it, had he not considered it a useful war measure. No compensation was paid, of course.¹ Everywhere slavery was doomed and in one way or another it has met a deserved fate.

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February 5, 1920

¹ I had with the late Hon. Warwick Hough of St. Louis, Missouri, who had been an officer in the Southern Army, several conversations on the subject of slavery. He gave it as his firm conviction that, had the South succeeded in the Civil War, it would shortly have itself abolished slavery and sought re-admission to the Union. His proposition was that the power and influence of the planter class was waning, while the manufacturers, merchants and the like were increasing in number and influence and they would have for their own protection abolished slavery. I have not met a Northerner or a Canadian who agreed with this view; but a few Southerners have expressed to me their general concurrence with my friend's proposition.